IN THE CLAIMS:

Claims 1, 12, 14-22 and 24-29 are amended herein. Claims 10 and 23 are cancelled.

All pending claims and their present status are produced below.

1.   (Currently Amended) A method for calculating application verb response times, comprising:

(a)   receiving packet data;

(b)   aggregating the packet data into flows;

(c)   identifying application verbs and information relating to them associated with the flows; and

(d)   determining whether the application verbs are valid;

(e)   updating a state machine if it is determined that the application verbs are valid; and

(f)   storing the information relating to the application verbs;

(g)   wherein the information relating to the application verbs is capable of being used to calculate response times associated therewith.

2.   (Original) The method as recited in claim 1, and further comprising determining whether the packet data is associated with a new flow.

3.   (Original) The method as recited in claim 2, wherein if the packet data is determined to be associated with a new flow, further comprising creating a flow, creating a data structure, and inserting the data structure into the flow.

4.   (Original) The method as recited in claim 3, wherein the creation of the data structure includes identifying a protocol identifier associated with the flow, and determining a number of known application verbs associated with the protocol identifier.

5.   (Original) The method as recited in claim 4, wherein the creation of the data structure further includes allocating memory for the data structure based on the number of known application verbs associated with the protocol identifier.

6. (Original) The method as recited in claim 4, wherein the number of application verbs associated with the protocol identifier is determined utilizing a map.

7. (Original) The method as recited in claim 6, wherein the map maps to a RMON tree.

8. (Original) The method as recited in claim 1, and further comprising inserting a data structure into the flows.

9. (Original) The method as recited in claim 8, wherein the aggregation includes populating and updating the data structure with the information.

10. (Canceled)

11. (Original) The method as recited in claim 9, wherein the aggregation further includes determining whether a response is complete, and calculating a response time if it is determined that the response is complete.

12. (Currently Amended) The method as recited in claim [[10]] 11, wherein the aggregation further includes determining whether the state machine is in a valid state, and utilizing the state machine as being representative of the response time if it is determined that the state machine is in a valid state.

13. (Original) The method as recited in claim 1, wherein the information relating to the application verbs is capable of being used to calculate response times associated therewith in real-time.

14. (Currently Amended) A computer-readable medium having a computer program product for calculating application verb response times, comprising:

    (a) computer code for receiving packet data;

    (b) computer code for aggregating the packet data into flows;

(c)   computer code for identifying information relating to application verbs associated with the flows; ~~and~~

(d)   <u>computer code for determining whether the application verbs are valid;</u>

(e)   <u>updating a state machine if it is determined that the application verbs are valid; and</u>

(f)   computer code for storing the information relating to the application verbs;

(g)   wherein the information relating to the application verbs is capable of being used to calculate response times associated therewith.

15.   (Currently Amended) The <u>computer-readable medium of</u> ~~computer program product as recited in~~ claim 14, <u>wherein the computer program product</u> ~~and~~ further ~~comprising~~ <u>comprises</u> computer code for determining whether the packet data is associated with a new flow.

16.   (Currently Amended) The <u>computer-readable medium of</u> ~~computer program product as recited in~~ claim 15, wherein if the packet data is determined to be associated with a new flow, further comprising computer code for creating a flow, creating a data structure, and inserting the data structure into the flow.

17.   (Currently Amended) The <u>computer-readable medium of</u> ~~computer program product as recited in~~ claim 16, wherein the creation of the data structure includes identifying a protocol identifier associated with the flow, and determining a number of application verbs associated with the protocol identifier.

18.   (Currently Amended) The <u>computer-readable medium of</u> ~~computer program product as recited in~~ claim 17, wherein the creation of the data structure further includes allocating memory for the data structure based on the number of known application verbs associated with the protocol identifier.

19.   (Currently Amended) The <u>computer-readable medium of</u> ~~computer program product as recited in~~ claim 17, wherein the number of known application verbs associated with the protocol identifier is determined utilizing a map.

20.   (Currently Amended) The <u>computer-readable medium of</u> ~~computer program product as recited in~~ claim 19, wherein the map maps to a RMON tree.

21.   (Currently Amended) The <u>computer-readable medium of</u> ~~computer program product as recited in~~ claim 14, <u>wherein the computer program product</u> and further ~~comprising~~ <u>comprises</u> computer code for inserting a data structure into the flows.

22.   (Currently Amended) The <u>computer-readable medium of</u> ~~computer program product as recited in~~ claim 21, wherein the aggregation includes populating and updating the data structure with the information.

23.   (Canceled)

24.   (Currently Amended) The <u>computer-readable medium of</u> ~~computer program product as recited in~~ claim 22, wherein the aggregation further includes determining whether a response is complete, and calculating a response time if it is determined that the response is complete.

25.   (Currently Amended) The <u>computer-readable medium of</u> ~~computer program product as recited in claim~~ [[23]] <u>22</u>, wherein the aggregation further includes determining whether the state machine is in a valid state, and utilizing the state machine as being representative of the response time if it is determined that the state machine is in a valid state.

26.   (Currently Amended) The <u>computer-readable medium of</u> ~~computer program product as recited in~~ claim 14, wherein the information relating to the application verbs is capable of being used to calculate response times associated therewith in real-time.

27.   (Currently Amended) A system for calculating application verb response times, comprising:

(a)   means for receiving packet data;

(b)   means for aggregating the packet data into flows;

(c)   means for identifying information relating to application verbs associated with the flows; ~~and~~

(d)   means for determining whether the application verbs are valid;

(e)   means for updating a state machine if it is determined that the application verbs are valid; and

(f)   means for storing the information relating to the application verbs;

(g)   wherein the information relating to the application verbs is capable of being used to calculate response times associated therewith.

28.   (Currently Amended) A computer-readable medium having computer readable instructions ~~data structure~~ for calculating application verb response times, the computer readable instructions configured to implement a data structure, comprising:

(a)   a plurality of application verb objects for identifying information relating to application verbs associated with a flow; and

(b)   a state machine object;

(c)   wherein the application verb objects and the state machine object are capable of being used to validate response times.

29.   (Currently Amended) A method for calculating response times, comprising:

(a)   receiving packet data;

(b)   aggregating the packet data into a flow;

(c)   identifying information relating to application verbs associated with the flow;

(d)   determining whether the application verbs are valid;

(e)   updating a state machine if it is determined that the application verbs are valid;

(f)   storing the information relating to the application verbs in a data structure;

(g)   inserting the data structure in the flow; and

(h)   mapping the data structure to a remote monitoring (RMON) tree.

30.   (Original) A method for calculating response times, comprising:

   (a)   receiving packet data;

   (b)   determining whether the packet data is associated with a new flow;

   (c)   if the packet data is determined to be associated with a new flow:

       (i)   creating a flow,

       (ii)   providing a notification of the flow,

       (iii)   creating a data structure in response to the notification, the creation of the data structure including:

           1)   identifying a protocol identifier associated with the flow,

           2)   caching the protocol identifier,

           3)   determining a number of known application verbs associated with the protocol identifier, and

           4)   allocating memory for the data structure based on the number of known application verbs associated with the protocol identifier, and

       (iv)   inserting the data structure into the flow; and

   (d)   aggregating the packet data by:

       (v)   identifying application verbs in the flow,

       (vi)   determining whether the application verbs are valid,

       (vii)   updating a state machine if it is determined that the application verbs are valid,

       (viii) determining whether a response associated with the flow is complete,

       (ix)   calculating a response time if it is determined that the response is complete,

       (x)   determining whether the state machine is in a valid state, and

       (xi)   utilizing the data structure as being representative of the response time if it is determined that the state machine is in a valid state.